

Southern District of Texas

United States District Court

FILED

SOUTHERN

DISTRICT OF

TEXAS March 16, 2019

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

David J. Bradley, Clerk of Court

CRIMINAL COMPLAINT

Advento Barrera-Cruz

PRINCIPAL

Case Number:

YOB: 1948

M-19- 0643 -M

United States

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about March 15, 2019 in Starr County, in the Southern District of Texas defendants(s) did,
 (Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Enrique Valdibias-Trujillo, a citizen and national of Mexico, along with one (1) other undocumented alien, for a total of two (2), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Roma, Texas to the point of arrest near Roma, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY
 I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On March 15, 2019, the Roma Police Department conducted a vehicle stop and requested assistance from Border Patrol. An Agent responded to the traffic stop and made contact with the Roma Police Officer. The officer stated that prior to the stop, he received information about two subjects at the Whataburger that had been seen there for several hours. The concerned citizen also mentioned that the subjects were picked up in a grey Mercury Marquis. The Roma Police Officer stated that he responded to the Whataburger and observed a grey Mercury Marquis leaving. The Officer followed the vehicle and conducted a vehicle stop after the driver failed to use his turn signal. The Officer further stated, when he approached the vehicle he saw two heads pop up from within the back seat of the vehicle. **SEE ATTACHED**

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

/s/ Nicolas Cantu, Jr.

Signature of Complainant

Submitted by reliable electronic means, sworn to and attested to telephonically per Fed. R. Cr. P. 4.1, and probable cause found on:

3/16/19
 @ 3:06 PM

Nicolas Cantu, Jr. Senior Patrol Agent

Printed Name of Complainant

March 16, 2019

Date

at McAllen, Texas

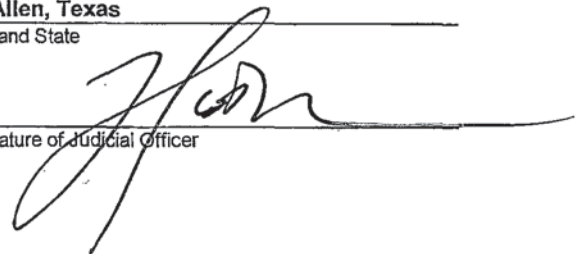
City and State

J Scott Hacker

, U. S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-19-

-M

RE: Advento Barrera-Cruz

CONTINUATION:

The agent conducted an immigration inspection on all the passengers. The driver, identified as Advento Barrera-Cruz, was determined to be a Naturalized United States citizen. The two passengers were both found to be illegally present in the United States.

All the subjects were taken into custody and transported to the Rio Grande City Border Patrol Station for processing.

At the Border Patrol Station, record checks revealed that on October 26, 2017, Barrera was convicted of Transporting an alien and was sentenced to eighteen (18) months confinement and three (3) years Supervised Release Term.

Principal

Advento Barrera-Cruz was read his Miranda Rights. He understood his rights and declined to provide a statement.

Material Witness

Enrique Valdez-Trujillo was read his Miranda Rights. He understood his rights and provided a sworn statement.

Valdez, a citizen of Mexico, stated a friend made his smuggling arrangements. Valdez does not know how much the smuggling arrangements cost. According to Valdez, his friend would be paying for everything. After crossing the river, he received instructions over the phone to keep walking. Valdez walked for about 2 hours until they got to a restaurant. At the restaurant, they ate and waited until they received a phone call to come out, because a car would pass for them. That's when a gentleman arrived for them. A gentleman in a car honked the horn and they boarded the car. After they boarded, the gentleman told them to stay calm nothing was going to happen. The gentleman also told them to lay down. Afterwards, the gentleman told them he was dropping them off and to run. At that point, Valdez was unaware they were being followed by the police.

Valdez identified Barrera, through a photo lineup, as the driver that picked him up at the restaurant.

I declare under penalty of perjury that the statements in this complaint are true and correct. Executed on March 16, 2019.